



August 6, 2013

Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *In the Matter of Accessibility of User Interfaces, and Video Programming Guides and Menus, MB Docket No. 12-108, Notice of Proposed Rulemaking (FCC 13-77)*

Dear Commissioners:

Pittsfield Community Cable Broadcasting, Inc. (PCTV, Pittsfield Community Television) submits this letter in the above-referenced rulemaking proceeding (NPRM) in support of the comments filed by the Alliance for Community Media; the Alliance for Communications Democracy; Montgomery County, Maryland; and the National Association of Counties, National Association of Telecommunications Officers and Advisors & U.S. Conference of Mayors.

PCTV is a PEG cable access entity that serves the access needs of the city of Pittsfield, MA, on the Time Warner Cable system that is seen on Pittsfield, Dalton, and Richman, MA. Our programming is available to an average of 18,000 subscribers in Pittsfield. Geographic areas such as ours are unique in that we sit in an isolated location surrounded by tall rolling hills. Broadcast channels on a flat map show us in primary Albany and in Springfield markets, but in reality neither groups serve us like they do their own local areas. Our access centers are even more important than other cities with broadcasters directly located in their communities. Our access centers in the Berkshires are the local stations. Albany broadcast stations serve up the news of New York State and Albany area, with the occasional short story about Pittsfield. On the other side of the story, we only occasionally get a story about Pittsfield on the Springfield channel, but often the news of our own state of Massachusetts or capital of Boston is not seen.

We carry programs that are seen on our channels 24 hours a day 7 days a week. Last year we aired more than 18,000 hours of programming. We are considered an outreach vehicle by of many of our community service agencies and are seen as a major information source for them, some of which are on a regular basis closed captioned or subtitled. We carry the programs "Army Newswatch" on our Government Access Channel, "NASA TV" on our Educational Access Channel, and a locally produced program that promotes independent living with disabilities called "AD-Lib" on our Public Access Channel. In addition some periodic programming made by our Elder Services seniors group will produce programming from time to

time that has had signing, titling. We have also had simulcast programming with the Radio for the Blind local broadcast station. The onscreen video programming guide of our multichannel video programming distributor (MVPD), Time Warner Cable, does not provide a label or symbol indicating that these programs have closed captions.

We have program descriptions and accessibility information readily available for our programs with accessibility options such as closed captions. However, currently, Time Warner Cable only displays information on each of our channels that is generic; Local public access, local education access, and local government access. This level of information is inadequate to meet the accessibility goals of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). With the constant changes and consolidations by Time Warner there is no one clear person to ask about getting this corrected. In the past we were simply told that it could not be done.

At present the cable operator has taken us off the standard analog tier where we have been located on Channels 16, 17, 18 (PEG in channel order for more than 20 years), and moved us to a highly compressed single channel with 3 subparts in the digital tier on channel 116.1, 116.2, 116.3 (not Channel 116, 117, 118). We are no longer in order of a PEG. Now Education is first, Public second and Government third. These public channels have lost a lot of resolution and the compression is so bad that any writing can barely be read on any program or full screen Bulletin Board. Viewers cannot determine from the MVPD's video programming guide where or what our programs are and whether our programs are accessible. Thus, viewers with visual or auditory disabilities cannot make meaningful video program choices. On top of that the operator is presently giving digital conversion boxes to convert our 3 channels for only a few years then will charge \$.99 for the rental of these boxes. The groups that are most impacted by this change are the elderly, and any people with analog sets. Often the visually and hearing impaired are challenged buy these changes and lack of accessibility. Many have complained to the operator directly and many see these challenges and removal of access intolerable. Even if they are able somehow to get help to pick up a special box to watch their own access channels, they do not know when these programs are on or how to find them. If they are lucky enough to find them the compression rate downgrades the quality so low that it may be impossible to read the caption or for that matter any written information on any of the programming. The hearing impaired cannot tune us to watch us without difficulty. And the blind cannot hear our programming if they cannot tune us in without adapters and the ability to find us. We are the only channels on that analog tier that have been moved. A letter from the operator says the reason was "For the enhanced capabilities" the cable provider can give to the community. It is interesting to see that channel 115 is sharp and clear, as well as the shopping channels in HD. We can provide HD (SDI) signals to the cable operator but they do not desire to give us that capability. I know that the broadcasters must be considered in your rules and guides, but there are also laws that are supposed to protect the rights of the community to its own access channels.

Time Warner Cable's multichannel video service, has created unique and especially difficult problems for visually-impaired viewers wishing to view PEG channel programming. These issues were discussed in the comments filed by the Alliance for Communications Democracy, the Alliance for Community Media, and Chicago Access Corporation (CAN TV). Unlike the remaining analog channels on our cable operator's system, which can be reached simply by remembering the right channel number or toggling to **2-96 (of course now with the exception of our old channels 16, 17, 18 now blank)**, with Time Warner's "improvement" of PEG channels one must have a converter box, digital cable box or the right QUAM tuner then must visually punch in a foreign channel 116, figure out how to visually navigate to find the correct access channel to reach any of our PEG channels.

In short, the visually impaired are genuinely, and dramatically, disadvantaged. Programming is not labeled correctly, not easily placed in order on the system, and has been downgraded. This is not limited to an issue for the impaired but anyone with respect to, our PEG channels on the digitally "enhanced" Time Warner system.

We urge the Commission to adopt rules that would require video programming guides and menus which display channel and program information include, for all channels, high level channel and program descriptions and titles, as well as a symbol identifying the programs with accessibility options (captioning and video description). In addition the operator should insure access channels guarantee of access by treating us fairly like we are a "must carry" and allocate the proper bandwidth and resolution as they have offered to the broadcasters.

Thank you for the opportunity to submit these comments.

Bernard J. Avalor,

Executive Director, Pittsfield Community Television